

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FILED JUN 01 2007

DOMINGO COLON MONTANEZ,	:	
Petitioner	:	
	:	CIVIL ACTION NO. 2:07-CV-1200
VS.	:	EVIDENTIARY HEARING
	:	<u>DEMANDED</u>
HARRY EDWARD WILSON, ET AL.,	:	
Respondents	:	

REPLY AGAINST THE ANSWER OF THE RESPONDENTS,
TO MY PETITION FOR A WRIT OF HABEAS CORPUS

DOMINGO COLON MONTANEZ, Pro se Petitioner, respectfully request that the Honorable Federal Judges that took an oath to uphold, enforce, and protect the UNITED STATES CONSTITUTION, and to protect my Constitutional Rights pursuant to the Bill of Rights of a CITIZEN of the United States of America and Commonwealth of Pennsylvania, GRANT ME, "a law abiding CITIZEN," an EVIDENTIARY HEARING on the following grounds:

1. On 3/20/07, I filed a PETITION FOR A WRIT OF HABEAS CORPUS pursuant to FEDERAL STATUTES TITLE 28 U.S.C. § 2254, and §§ 2241, 2242, 2243.

2. In support of the Petition for a Writ of Habeas Corpus, Petitioner filed a extensive **MEMORANDUM OF FACTS** proving his illegal, unconstitutional custody at SCI-FAYETTE. The memorandum of facts contains 71 pages for the Honorable Judges to review each individual fact and grant me an evidentiary hearing on the merits because I have set forth a compelling case in this Honorable Court pursuant to the FACTUAL AND ACTUAL INNOCENCE CLAIM.

3. I brought (9) claims for relief which are as follow:

1. A substantive due process claim of actual innocence.
2. The weight of the false, fabricated, deceitful evidences is against the null and void verdict, including the accuser's testimony at the preliminary hearing and at the jury trial on November 15,16,17 1999, criminal docket Number 1093-99.
3. Unfair trial; Judicial Bias, Partiality from the racist, corrupt, evil, criminal Judge Lieberman Jr.
4. Prosecutorial misconduct.

5. Brady violation (f) conviction obtained by the unconstitutional failure of the prosecution attorney to disclose to the defendant evidences favorable to the defendant.
6. Ineffective assistance at trial, direct appeal and on the Post
7. Illegal sentence of fine, costs and restitution as well as the the commitment sentence of 5½ to 20 yrs.
8. Tampered, bogus, not legally certified transcripts.
9. RACISM, DISCRIMINATION, AND MISCARRIAGE OF JUSTICE.

See, Page 9 of my Petition for a Writ of Habeas Corpus.

In order for the Federal Judges to review and determine if my facts have merit for relief, the Judges have to request or compel the racist D.A. Mark C. Baldwin Esq. to send copies of all the discovery, motions, briefs I have filed in the Common Pleas Courthouse, Berks County, City of Reading, PA, in the Superior Court (Middle District of PA), Supreme Court (Middle District of PA), Criminal Docket No. 1093-99, Appeal Dkt. No's 483 MDA 2000; 1687 MDA 2002; 167,241 MDA 2003; 604,750 MDA 2003; 1479 MDA 2004; 572 MAL 2005. See Petition at Pg. 5-7, and the back page of 7. See also the Memorandum of Facts pgs 2-14.

Also the Federal Judge ordered the Clerk of Courts name James P. Troutman and Office of Judicial Support of Berks County to file with the Clerk of the Federal Court copies of ALL RECORDS, INCLUDING transcript of Notes of testimony at Arraignment, Trial, Sentencing Suppression Hearing, Post Conviction Hearings, Petitions, Pleadings, Opinion and Briefs of State Court proceedings in the matter of Commonwealth v. Domingo Colon Montanez, Court of Common pleas of Berks County, Criminal Case No. CP-06-CR-1093-1999 (Lieberman, J.) on or before May 18, 2007. The order is dated April 13th 2007. See Petition Pgs 1-11, and the Memorandum of Facts Pgs 2-71 for your review and disposition.

If the D.A. Mark C. Baldwin, and the Clerk of Courts Mr. Troutman or the staffs working at the Office of Judicial Support of Berks County do not obey the court order, than they are in contempt of court, and I request that they be charged and prosecuted to the full force of the federal law, and be put in prison so they could live and feel the prison life. Petitioner strongly opposes the respondent's answer to the Petition for Writ of Habeas Corpus, and the abusive memorandum in support of Commonwealth's Answer to the Petition for Writ of Habeas Corpus.

Date: 5-29-07

CC: File, D.C.M.

Respectfully submitted,
By: Domingo Colon Montanez

Domingo Colon Montanez, ED-3826
Pro se Petitioner
SCI-Fayette
50 Overlook Drive, Box 9999
LaBelle, PA 15450-0999

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CERTIFICATE OF SERVICE

I, Domingo Colon Montanez, Pro Se Petitioner, hereby certify that I have served a copy of the attached REPLY AGAINST THE ANSWER OF THE RESPONDENTS, TO MY PETITION FOR A WRIT OF HABEAS CORPUS to Alisa R. Hobart, by mailing a copy to her at 633 Court Street, Service Center- 5th Floor, Reading, PA 19601 by first class, postage prepaid.

Dated: 5-29-07
CC:File, D.C.M.

By: Domingo Colon Montanez
Domingo Colon Montanez, ED-3826
Pro Se Petitioner
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